

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

GREGORY LANCE WILLIAMS and
D.G. WHITAKER

V.

WELLS FARGO BANK, N.A. and
BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, LLP

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CASE NO. 4:11-CV-752
Judge Schneider/Judge Mazzant

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 9, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Barrett Daffin Frappier Turner & Engel, LLP's Motion to Dismiss (Dkt. No. 7) be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Barrett Daffin Frappier Turner & Engel, LLP's Motion to Dismiss (Dkt. No. 7) is GRANTED, and Plaintiffs' claims against Barrett Daffin Frappier Turner & Engel, LLP are DISMISSED with prejudice.

It is further **ORDERED** that Defendant Barrett Daffin Frappier Turner & Engel, LLP's Motion to Dismiss Pursuant to Rule 12(b)(6) is DENIED as moot.

It is further **ORDERED** that Defendant Wells Fargo Bank, N.A.'s Motion to Dismiss (Dkt. No. 9) is GRANTED, and Wells Fargo Bank, N.A. is DISMISSED with prejudice. The Court has considered the motion to dismiss, lack of response, and the defective pleadings of the Plaintiffs, and there are no plausible claims against Wells Fargo.

It is SO ORDERED.

SIGNED this 1st day of March, 2012.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE